

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

CAMBRIDGE WHO'S WHO PUBLISHING, INC.,

X 06-CV-06590 (JS) (ETB)

Plaintiff

-against-

XCENTRIC VENTURES, LLC and  
EDWARD MAGEDSON,

Defendants.

AFFIRMATION IN  
OPPOSITION TO  
DEFENDANT'S MOTION  
TO DISMISS AND IN  
SUPPORT OF PLAINTIFF'S  
CROSS MOTION

X

**SUZANNE B. FERTIG**, being duly sworn deposes and says:

1. I am an attorney admitted to practice before this court. I am associated with Ettelman & Hochheiser, P.C. the attorneys representing the plaintiff Cambridge Who's Who Publishing, Inc. ("Cambridge"). I make this affirmation in opposition to the motion to dismiss pursuant to Fed. R. Civ. P. 12 (b)(2) of defendant Xcentric Ventures, LLC ("Xcentric"), and in support of Cambridge's motion for jurisdictional discovery.

2. Annexed to this affirmation are the following documents:

- i) Exhibit A is a copy of the Complaint in this action dated December 12, 2006;
- ii) Exhibit B is material printed from Defendant's website reflecting Defendant's solicitation to visitors/users of the website to enroll in Defendant's Corporate Advocacy Program;
- iii) Exhibit C is a copy of the search results of Cambridge's business on Defendant's website which reflect the reports filed by consumers printed from Defendant's website;

- iv) Exhibit D is material printed from Defendant's websites and/or hyperlinks from Defendant's website, reflecting the two books marketed and sold by Defendant; and
- v) Exhibit E is material printed from Defendant's website reflecting Defendant's solicitation of donations from visitors/users of the website; Defendant's advertisers, and Defendant's organization of class actions lawsuits for visitors/users of the website.

Dated: Garden City, New York  
July 27, 2007



SUZANNE B. FERTIG

A handwritten signature in black ink, appearing to read "Suzanne B. Fertig". Below the signature, the name "SUZANNE B. FERTIG" is printed in a standard font, enclosed in a thin horizontal line.